

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HOUSE BILL 2317

AN ACT

AMENDING SECTION 15-1448, ARIZONA REVISED STATUTES; RELATING TO COMMUNITY COLLEGE DISTRICT BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-1448, Arizona Revised Statutes, is amended to
3 read:

4 15-1448. Employment of legal counsel; opinions of counsel

5 A. If a district lies in two or more counties, the county attorney of
6 the largest county in which the district lies as determined by the last
7 federal decennial census is the attorney for the district.

8 B. A district board may employ an attorney to represent the district
9 if the county attorney consents. The district board shall state in writing
10 the purpose for which it employs an attorney.

11 C. A district board may employ an attorney without the consent of the
12 county attorney if it deems it advisable.

13 D. Compensation for an attorney whom the district board employs as
14 provided in subsections B and C of this section is payable from district
15 monies.

16 E. If a district board employs an attorney without the consent of the
17 county attorney, the county attorney has no duty to represent the district
18 with regard to any matter for which the attorney was employed and is not
19 responsible to the district for any exercise of, or failure to exercise,
20 professional judgment by the attorney in his representation of the district.

21 F. The county attorney is not required to assume the duty to represent
22 the district on a matter for which the district board employs an attorney
23 without the consent of the county attorney.

24 G. An attorney employed pursuant to subsection B or C of this section
25 shall represent the district with the powers of and the duties otherwise
26 performed by the county attorney pursuant to section 11-532, subsection A,
27 paragraph 11.

28 H. Any county attorney who issues a legal opinion to a community
29 college district shall promptly transmit a copy of the opinion to the
30 attorney general who shall concur, revise or decline to review the opinion of
31 the county attorney. If the attorney general does not concur, revise, ~~—~~ or
32 decline to review the county attorney's opinion within ~~sixty~~ ^{NINETY} days from
33 its receipt, the opinion shall be deemed affirmed. If the attorney general
34 revises the opinion, the opinion of the attorney general shall prevail.